

REMARKS

Applicant thanks the Examiner for the thorough consideration given to the present application. Claims 1-11 remain pending in the present application. The Examiner is respectfully requested to reconsider and withdraw his rejections in view of the remarks as set forth below.

REJECTIONS UNDER 35 USC §103

Claims 1-11 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,202,051 (Woolston) in view of U.S. Patent No. 6,240,396 (Walker). Applicant respectfully traverses this rejection.

Woolston is generally directed to a computer-implemented system that enables sellers to auction items to one or more potential buyers via the Internet. As noted by the Examiner, Woolston discloses various techniques for transacting a purchase between a buyer and a seller. Payment to the seller is generally achieved using two step process: (1) crediting an internally maintained account for the seller (e.g., see accounts 824 in Fig. 12); and (2) subsequently, cutting a check to the seller (e.g., see col. 19, lines 26-29). To the extent that such techniques involve the use of credit card accounts, Woolston only describes debiting a credit card account of the buyer (e.g., see col. 5, lines 20-24). In other words, Woolston does not teach or suggest transacting a purchase that includes the step of crediting the credit card account of the seller.

Applicant's further asserts that the step of crediting the credit card account of a seller is not an obvious extension of Woolston. Current credit card

clearinghouse regulations only permit credit transactions as "returns", where a corresponding debit occurs on the seller's credit card account. Applicant's claimed invention calls for a credit transaction without the customary corresponding debit being present on the seller's credit card account. Thus, any reference to known credit card clearing techniques would not teach or suggest the step of crediting the seller's credit card account.

The Examiner then relies on Walker to teach a method for transacting a purchase which involves crediting the credit card account of the seller. Walker is directed generally to a method and system for facilitating the purchase of event tickets. Of particular interest, the Examiner asserts that Walker teaches crediting the credit card account of the seller (e.g., see col. 14, lines 42-45).

However, Applicant notes that the step of crediting the seller's credit card account occurs only after a corresponding debit has been placed on the credit card account of the seller. The Examiner's attention is drawn to step 776 of figure 7f in Walker. Prior to completing the transaction between the buyer and seller, a portion of the seller's credit is reserved as a fraud deterrent in the event the seller fails to deliver the tickets to the buyer (see col. 12, lines 47-65). Subsequently, upon verification that the tickets have been surrendered by the seller to the buyer, the seller's credit card account is credited at step 798. In other words, Walker teaches crediting the seller's credit card account when a corresponding debit has been previously placed on the account in accordance with customary credit card clearing regulations. Applicant asserts that Walker does not teach or suggest

the step of crediting the seller's credit card account without a corresponding debit.

On the other hand, Applicant's invention is generally directed to a method for transacting a purchase between a buyer and a seller using a computer-implemented system. Of particular interest, Claim 1 recites the step of "transacting a purchase between the buyer and the seller using credit card account information from the buyer and the seller, including the step of crediting the credit card account of the seller" in combination with the other elements recited in the claim. Thus, the transaction manager executes a credit transaction for the sale amount (less any previously agreed upon transaction fee) to be credited to the seller's credit card account using a credit card clearinghouse. Applicant's claimed invention does not require the customary corresponding debit to be present on the seller's credit card account.

Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over Woolston in view of Walker. Applicant also notes that independent Claim 7 recites similar subject matter, and thus should be allowable, along with claims depending therefrom, for the same reasons as Claim 1. Moreover, Applicant asserts that the step of crediting the credit card account of a seller is not an obvious extension of either Woolston or Walker. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

All of the stated grounds for rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and further requests that they be withdrawn. Accordingly, it is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 641-1230.

Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

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